



DEPARTMENT OF TRANSPORTATION

Federal Railroad Administration

[Docket No. FRA-2022-0058, Notice No. 1]

Review of Quiet Zone in Deerfield Beach, Pompano Beach, Fort Lauderdale, Oakland Park, Wilton Manors, Dania Beach, Hollywood, and Hallandale Beach, Florida

AGENCY: Federal Railroad Administration (FRA), Department of Transportation (DOT).

ACTION: Notice of quiet zone review.

SUMMARY: FRA is providing notice of its intent to review a quiet zone located in Deerfield Beach, Pompano Beach, Fort Lauderdale, Oakland Park, Wilton Manors, Dania Beach, Hollywood, and Hallandale Beach, Florida (Cities). Based on a high rate of reported accidents/incidents and related injuries and fatalities that occurred between January and December 2022, FRA has made a preliminary determination that the safety systems and measures implemented within the quiet zone do not fully compensate for the absence of routine sounding of locomotive horns due to a substantial increase in risk. In addition, FRA has made a preliminary determination of significant risk with respect to loss of life or serious personal injury within the quiet zone. Therefore, FRA intends to review existing conditions within the quiet zone to determine whether the quiet zone should be terminated or whether additional safety measures may be necessary to ensure motorist and pedestrian safety.

DATES: Written comments must be received on or before [INSERT DATE 30 DAYS AFTER DATE OF PUBLICATION IN THE FEDERAL REGISTER]. FRA will consider comments filed after this date to the extent practicable.

ADDRESSES: *Comments:* Comments related to this notice may be submitted by going

to <https://www.regulations.gov> and following the online instructions for submitting comments.

Instructions: All submissions must include the agency name and docket number (FRA-2022-0058). Please note that comments submitted online via www.regulations.gov are not immediately posted to the docket. Several business days may elapse after a comment has been submitted online before it is posted to the docket.

Privacy Act: DOT solicits comments from the public to better inform its regulatory process. DOT posts these comments, without edit, to www.regulations.gov, as described in the system of records notice, DOT/ALL-14 FDMS, accessible through www.dot.gov/privacy. To facilitate comment tracking and response, commenters are encouraged to provide their name, or the name of their organization; however, submission of names is completely optional. Whether or not commenters identify themselves, all timely comments will be fully considered. If you wish to provide comments containing proprietary or confidential information, please contact the agency for alternate submission instructions.

Docket: For access to the docket to read comments received, please visit <https://www.regulations.gov> and follow the online instructions for accessing the docket.

FOR FURTHER INFORMATION CONTACT: James Payne, Staff Director, Highway-Rail Crossing and Trespasser Programs Division (telephone: 202-441-2787, email: james.payne@dot.gov); or Kathryn Gresham, Attorney-Adviser, Office of the Chief Counsel (telephone: 202-577-7142, email: kathryn.gresham@dot.gov).

SUPPLEMENTARY INFORMATION:

Background

FRA's amended final rule on the Use of Locomotive Horns at Public Highway-Rail Grade Crossings, which was issued on August 17, 2006,¹ permits a jurisdiction to

¹ 71 FR 47613, codified at 49 CFR parts 222 and 229.

establish a quiet zone by designation, if the jurisdiction attests that they have implemented safety measures that reduce the risk of accidents/incidents and fatalities at public highway-rail grade crossings within the quiet zone to the Risk Index With Horns (RIWH).² Through issuance of a Notice of Quiet Zone Establishment, dated April 24, 2019, the Cities established a multi-jurisdictional quiet zone in Broward County, Florida (THR-000001420003) that includes the following highway-rail grade crossings:

State	City	U.S. DOT Crossing Inventory No. (GX ID)	Street Name
FL	Deerfield Beach	272511K	NE 2nd Street
FL	Deerfield Beach	272512S	Hillsboro Blvd.
FL	Deerfield Beach	272513Y	SE 4th Street
FL	Deerfield Beach	272514F	SW 10th Street
FL	Deerfield Beach	272515M	SW 15th Street
FL	Pompano Beach	272516U	NE 48th Street
FL	Pompano Beach	272517B	Sample Road
FL	Pompano Beach	272518H	NE 33 rd Street
FL	Pompano Beach	272519P	Copans Road
FL	Pompano Beach	272526A	NE 10th Street
FL	Pompano Beach	272528N	NE 6th Street
FL	Pompano Beach	272531W	NE 3rd Street
FL	Pompano Beach	272533K	West Atlantic Avenue
FL	Pompano Beach	272534S	SW 2nd Street
FL	Pompano Beach	272535Y	SW 6th Street
FL	Oakland Park	272536F	Cypress Creek Road
FL	Oakland Park	272537M	Commercial Blvd.
FL	Oakland Park	272538U	NE 45th Street
FL	Oakland Park	272540V	NE 38th Street
FL	Oakland Park	272541C	NE 36th Street
FL	Oakland Park	272542J	NE 34th Court
FL	Oakland Park	272544X	Oakland Park Blvd.
FL	Wilton Manors	272545E	NE 26th Street
FL	Wilton Manors	272546L	NE 24th Street
FL	Fort Lauderdale	272547T	NE 17th Court

² The RIWH is the level of risk to the motoring public when locomotive horns are routinely sounded at every public highway-rail grade crossing within the quiet zone.

FL	Fort Lauderdale	272548A	NE 13th Street
FL	Fort Lauderdale	272549G	Sunrise Blvd.
FL	Fort Lauderdale	272550B	NE 3rd Avenue
FL	Fort Lauderdale	272551H	North Andrews Avenue
FL	Fort Lauderdale	272552P	Sistrunk Blvd.
FL	Fort Lauderdale	272553W	NE 4th Street
FL	Fort Lauderdale	272556S	West Broward Blvd.
FL	Fort Lauderdale	272557Y	SW 2nd Street
FL	Fort Lauderdale	272558F	SW 5th Street
FL	Fort Lauderdale	272559M	SW 6th Street
FL	Fort Lauderdale	272560G	SW 7th Street
FL	Fort Lauderdale	272561N	SW 9th Street
FL	Fort Lauderdale	272562V	Davie Blvd.
FL	Fort Lauderdale	272563C	SW 15th Street
FL	Fort Lauderdale	272564J	SW 17th Street
FL	Fort Lauderdale	272566X	SW 22nd Street
FL	Fort Lauderdale	272567E	SW 24th Street
FL	Dania	272571U	Griffin Road
FL	Dania	272572B	NW 4 Old Griffin Road
FL	Dania	272573H	NW 1st Street
FL	Dania	272574P	West Dania Beach Blvd.
FL	Dania	272575W	Stirling Road
FL	Dania	272576D	Dixie Highway
FL	Hollywood	272577K	Sheridan Street
FL	Hollywood	272578S	Taft Street
FL	Hollywood	272582G	Garfield Street
FL	Hollywood	272584V	Johnson Street
FL	Hollywood	272585C	Filmore Street
FL	Hollywood	272586J	Hollywood Blvd.
FL	Hollywood	272587R	Harrison Street
FL	Hollywood	272588X	Monroe Street
FL	Hollywood	272589E	Washington Street
FL	Hallandale	272590Y	Pembroke Road
FL	Hallandale	272591F	NW 3rd Street
FL	Hallandale	272592M	E. Hallandale Beach Blvd.
FL	Hallandale	272593U	SW 3rd Street
FL	Hollywood	272868A	Tyler Street

FL	Oakland Park	272870B	NE 56th Street
FL	Pompano Beach	273022D	SW 3rd St.

According to the Notice of Quiet Zone Establishment, this crossing corridor qualified for quiet zone status on the basis of having a Quiet Zone Risk Index that was below the RIWH. Accordingly, the Notice of Quiet Zone Establishment indicated that the Cities had taken appropriate measures to compensate for the excess risk that results from restricting routine train horn sounding at the highway-rail grade crossings identified in the notice, and the quiet zone took effect on May 18, 2019.

Substantial Increase in Risk

As reflected in the table below, between January and December 2022, at least 34 accidents/incidents have occurred within this multi-jurisdictional quiet zone, resulting in 22 fatalities, six injuries, and six incidents where no injuries were reported. This is a significant number of accidents/incidents and fatalities as compared to quiet zone accident/incident data over the same period in other quiet zones across the country.

While accidents/incidents and fatalities have occurred throughout the quiet zone, the table below reflects a concentration of accident/incidents and fatalities around Hollywood, Florida, including those involving persons classified as trespassers. In accordance with 49 CFR 222.51(c), FRA has made a preliminary determination that there is significant risk with respect to loss of life or serious personal injury within this quiet zone which necessitates a review by FRA.

No.	Date	Incident	City	GX ID
1	19-Jan-22	Fatality	Deerfield Beach, FL	272513Y
2	27-Jan-22	Fatality	Hollywood, FL	272587R
3	12-Feb-22	Injury	Hollywood, FL	272582G
4	15-Feb-22	Fatality	Hallandale Beach, FL	Trespass
5	21-Feb-22	Fatality	Hollywood, FL	Trespass
6	25-Feb-22	Non-Injury	Pompano Beach, FL	272518H
7	06-Mar-22	Injury	Oakland Park, FL	272542J

8	12-Mar-22	Fatality	Hollywood, FL	Trespass
9	18-Mar-22	Injury	Hallandale Beach, FL	272593U
10	31-Mar-22	Injury	Wilton Manors, FL	272545E
11	04-Apr-22	Injury	Hallandale Beach, FL	272595H
12	12-Apr-22	Fatality	Oakland Park, FL	Trespass
13	20-Apr-22	Non-Injury	Oakland Park, FL	272542J
14	02-May-22	Fatality	Pompano Beach, FL	272528N
15	03-May-22	Fatality	Hollywood, FL	272582G
16	07-May-22	Fatality	Pompano Beach, FL	272519P
17	08-May-22	Non-Injury	Pompano Beach, FL	272531W
18	25-May-22	Fatality	Pompano Beach, FL	Trespass
19	31-May-22	Fatality	Pompano Beach, FL	Trespass
20	02-Jun-22	Fatality	Pompano Beach, FL	Trespass
21	07-Jun-22	Fatality	Pompano Beach, FL	272536F
22	13-Jun-22	Non-Injury	Dania Beach, FL	272576D
23	24-Aug-22	Fatality	Hollywood, FL	Trespass
24	30-Aug-22	Fatality	Wilton Manor, FL	Trespass
25	02-Sep-22	Fatality	Oakland Park, FL	Trespass
26	06-Sep-22	Non-Injury	Pompano Beach, FL	272533K
27	19-Sep-22	Fatality	Hollywood, FL	272868A
28	01-Oct-22	Fatality	Oakland, FL	Trespass
29	03-Oct-22	Injury	Hollywood, FL	Trespass
30	01-Nov-22	Non-Injury	Fort Lauderdale, FL	Trespass
31	15-Nov-22	Fatality	Fort Lauderdale, FL	Trespass
32	21-Nov-22	Fatality	Dania Beach, FL	Trespass
33	11-Dec-22	Fatality	Hollywood, FL	272588X
34	27-Dec-22	Fatality	Fort Lauderdale, FL	Trespass

Scope of Review

Since 1991, when FRA issued Emergency Order No. 15 regarding the use of locomotive horns at public highway-rail grade crossings,³ FRA has adopted a corridor-wide approach to evaluating and mitigating risk within quiet zones. A corridor-wide approach permits the most efficient deployment of risk reduction measures and encourages public authorities to focus their resources on addressing the most hazardous public highway-rail grade crossings.

³ 56 FR 36190 (July 31, 1991).

As described in this notice, FRA intends to conduct a review of this multi-jurisdictional quiet zone (THR-000001420003) located along the Brightline passenger rail corridor and Florida East Coast Railway (FEC) freight rail corridor.

Interested parties are invited to submit written comments on this quiet zone review to the docket. FRA is interested in obtaining information from the public about the prevalence of unsafe actions that have been observed at any of the above-listed grade crossings, including information about motorists or pedestrians that have been observed engaging in unsafe actions at any of the above-listed grade crossings. FRA is also interested in obtaining information from public authorities in the affected quiet zone about the effectiveness of existing quiet zone crossing safety improvements, as well any additional quiet zone safety improvements that may be under consideration and the anticipated timeline for implementing any such improvements. Please refer to the **ADDRESSES** section above for guidance on the submission of comments to the electronic docket.

After the comment period closes, the Associate Administrator may require that additional safety measures be taken or that the quiet zone be terminated. The Associate Administrator will provide a copy of his decision to the Cities in which this multi-jurisdictional quiet zone is located, as well as the railroads that operate through the quiet zone and the State agencies responsible for grade crossing, highway, and road safety.

Issued in Washington, D.C.

John Karl Alexy,
Associate Administrator for Railroad Safety,
Chief Safety Officer.

